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SEP 27 2001

**FACSIMILE TRANSMISSION****GROUP 3700**

TO:	Commissioner for Patents Washington, D.C.
ATTENTION:	<b>EXAMINER DEXTER TUGBANG</b>
FROM:	David G. Luetngen
DATE:	September 26, 2001

Total pages, including cover letter:

~~4~~ 5 06-LPTO FAX NUMBER 1-703-308-75991-703-308-7058 3580

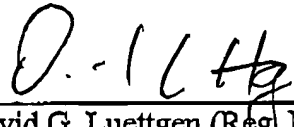
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Applicant: Shteynberg et al.  
Serial No.: 09/407,136  
Filed: September 27, 1999  
Group Art Unit: 3729  
Our Ref. No.: 081696-0221

Attached for filing with the U.S. Patent and Trademark Office are the following documents with regard to the above-referenced patent application, which documents are being filed After Final Rejection:

- Request for Reconsideration (3 pgs.)
- Petition for Extension of Time (1 pg.)

By:

  
David G. Luetngen (Reg. No. 39,282)

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

  
David G. Luetngen

September 26, 2001

Atty. Dkt. No 99RE036 (081696-0221) #11

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Shteynberg et al.  
Title: METHOD FOR WINDING  
SEGMENTS OF A SEGMENTED  
WOUND MEMBER OF AN  
ELECTROMECHANICAL DEVICE  
Appl. No.: 09/407,136  
Filing Date: 9/27/1999  
Examiner: Tugbang, D.  
Art Unit: 3729

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.  Karen Meier (Printed Name)  <i>Karen Meier</i> (Signature)  September 26, 2001 (Date of Deposit)
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Py  
Wine  
E. Payne  
10/2/01

**REQUEST FOR RECONSIDERATION****BOX AF**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This communication is responsive to the Final Office Action dated June 13, 2001, and the Advisory Action mailed August 30, 2001, concerning the above-referenced patent application.

The Applicant notes with appreciation the courteousness extended by the Examiner during the brief telephone interview conducted on September 19, 2001. In the Advisory Action, the Examiner withdrew the rejections based on Takehara, but maintained the rejections based on Searle. During the interview, a clarification of the grounds of rejection based on Searle was obtained.

It appears that the allowability of the claims over Searle turns on the meaning of the term "along" in independent claims 2, 4 and 23, which each recite "arranging a plurality of segments in a side-by-side orientation *along* an axis of rotation." The Examiner the position that "along" is a broad term and encompasses segments that are "close to" the axis of rotation, even if the axis of rotation does not pass through the segments. Therefore, according to the Examiner, the three segments 2 in Takehara are arranged along an axis of rotation (penciled in by the Examiner in the attachment to the

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Advisory Action), because the three segments 2 are at least "close to" the axis of rotation.

The Applicant respectfully submits that the Examiner is giving the "arranging a plurality of segments in a side-by-side orientation along an axis of rotation" limitation an unreasonably broad interpretation. Initially, the Applicant notes that this limitation specifies that the segments have a "side-by-side *orientation*" not that the segments have "side-by-side *positioning*." In other words, the segments must have a common ("side-by-side") orientation and this common orientation must occur along an axis of rotation.

The Applicant has attached a marked-up copy of the attachment to the Advisory Action, which includes Fig. 2 of Searle. In Fig. 2, the first bobbin (now labeled "W") and the second bobbin (now labeled "X") are positioned along a first axis (labeled "A1"). The Applicant disagrees that the segments W, X and Y have a side-by-side orientation *since they do not share a common axis*. However, to the extent that the segments W, X and Y have a side-by-side orientation, the Applicant respectfully submits that this orientation occurs along the Axis A1 for the segments W and X and along the Axis A2 for the segments X and Y. No person of ordinary skill in the art would look at the segments W and X or the segments X and Y and consider them to be oriented in side-by-side fashion along the axis of rotation which is labeled by the Examiner.

In view of the foregoing, favorable reconsideration and allowance of the application is respectfully requested. Should the Examiner have any remaining questions, the Examiner is invited to contact the undersigned at the telephone number appearing below.

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.116-1.17, or credit any overpayment, to Deposit Account No. 06-1447.

Atty. Dkt. No 99RE036 (081696-0221)

Respectfully submitted,

Date 9/26/01

By D. L. H.

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